

MAY-20-02 MON 4:25 PM

FAX NO. 781-69782

RECEIVED FAX RECEIVED

JUL 9 2002

MAY 21 2002

8053-GDM

TECH CENTER 1600/2900

GROUP 1600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 08/479,077

Filed: July 6, 1995

By: Garcia et al.

For: SQUARYLIUM COMPOUNDS, AND PROCESSES AND
INTERMEDIATES FOR THE SYNTHESIS OF THESE COMPOUNDS

Art Unit: 1209

Examiner: Lamkin

Cambridge, Massachusetts 02139

May 20, 2002

RESPONSE TO SUPPLEMENTAL EXAMINER'S ANSWER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The Supplemental Examiner's Answer (Paper No. 17) stated that the Amendment After Final Rejection, filed October 27, 1997, has been entered. Enclosed herewith is a corrected page 2 for the Appeal Brief which now correctly describes the Status of Amendments.

The Supplemental Examiner's Answer also stated that the Supplemental Appendix, filed March 6, 2002 (Paper No. 16) has been entered and contains a correct copy of the claims on appeal. Further, it is stated that the new ground of rejection in the Examiner's Answer, dated September 11, 1997, has been overcome by the filing of the Supplemental Appendix.

It is requested that the Supplemental Appendix replace the previous defective Appendix.

Accordingly, it is believed that all the issues raised by the Board of Patent Appeals and Interferences in the Order Remanding To Examiner (Paper No. 14) have now been resolved. It is therefore requested that the application be resubmitted to the Board for a decision on the basis of the present record.

Respectfully submitted,

Gaetano D. Maccarone

Gaetano D. Maccarone
Registration No. 25,173

Tel.: 781-386-6405

OFFICIAL

*entered
No action required
Doe 9/7/02*

MAY-20-02 MON 4:26 PM

FAX NO. 78 669782

P. 2

Serial No. 08/479,077

FAX RECEIVED

MAY 21 2002

CERTIFICATE OF FACSIMILE TRANSMISSION

GROUP 1600

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to Examiner Lamkin via facsimile no. 703-308-7922 on the date shown below.

Date: May 20, 2002



Gaetano D. Maccarone
Registration No. 25,173

Garcia et al.
Serial No.: 08/479, 077
Appeal Brief
Page 2 (Corrected)

RECEIVED
JUL 9 2002
TECH CENTER 1600/2900

AUTHORITY RELIED UPON BY APPLICANTS

In re Marosi, Stabenow, and Schwarzmann, 218 USPQ 289 (CAFC 1983)

Sir:

This is an appeal from the final rejection of all claims of the above application as set forth in the Office Action (Paper No. 7) mailed January 7, 1997.

REAL PARTY IN INTEREST

The real party in interest in this appeal is Polaroid Corporation, a corporation organized and existing under the laws of the State of Delaware, of 549 Technology Square, Cambridge, MA 02139-3589.

RELATED APPEALS AND INTERFERENCES

Application Serial No. 08/052,212, from which the present application is divided, is currently on appeal; the rejections being considered in this appeal include, *inter alia*, a 35 USC 103 rejection based, in part, upon U.S. Patent 4,508,811 to Gravesteijn, the same reference being applied in the present case. Although the rejections under appeal in Application Serial No. 08/052,212 are not very similar to those in the present appeal, in the interests of efficiency, the Office may wish to have the same panel consider both appeals. There are no related interferences.

STATUS OF CLAIMS

Claims 15-24 are pending in this application, claims 14 and 25-44 having been cancelled; claims 1-13 were cancelled at the time of filing this divisional application. Claims 15-24 stand finally rejected; no claim is objected to.

STATUS OF AMENDMENTS

An Amendment After Final Rejection was filed 10/27/97. The amendment has been entered (see page 2 of Supplemental Examiner's Answer - Paper No. 17).